

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Basir et al.
Serial No.: 10/783,390
Filing Date: 02/20/2004
Group Art Unit: 3663
Examiner: Tuan C. To
For: ADAPTIVE VISUAL OCCUPANT DETECTION
AND CLASSIFICATION SYSTEM

**TERMINAL DISCLAIMER TO OBVIATE
OBVIOUSNESS-DOUBLE PATENTING REJECTIONS**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, John Carlson, represent that I am an agent authorized to sign on behalf of the above-referenced Applicant of record, Intelligent Mechatronic Systems Inc. The application has been and continues to be owned by Intelligent Mechatronic Systems Inc.

This application claims priority to 60/448,796, filed February 20, 2003. Title in the above application is owned by Intelligent Mechatronic Systems Inc. The extent of the interest of Intelligent Mechatronic Systems Inc., is in the whole of this invention.

I have reviewed the application listed above, and to the best of my knowledge and belief, title to the present application is in Intelligent Mechatronic Systems Inc.

I hereby disclaim the terminal part of any patent granted on the above identified application which would extend beyond the expiration of the full statutory term of United States Serial No. 10/783,390, filed February 20, 2004 and 10/801,096, filed on March 15, 2004, as presently shortened by any terminal disclaimers, and hereby agree that any patents granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Serial No. 10/783,390

and 10/801,096. This agreement is to run with any patent granted on the above-identified application, and to be binding upon the grantor, its successors or assignees. Petitioner does not disclaim any terminal part of any patent granted on the above-identified applications prior to the expiration date of the full statutory term of United States Serial No. 10/783,390 and 10/801,096 as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a re-examination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is authorized to charge deposit account No. 50-1482 in the name of Carlson, Gaskey & Olds in the amount of \$103.00 to cover the Terminal Disclaimer fee.

If any additional fees are required, please consider this a conditional petition therefore, and charge deposit account No.50-1482.

Respectfully submitted,

/John E. Carlson/

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Dated: January 12, 2007